

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1, 5-13 and 16-17 are rejected under 35 U.S.C. 103(a) over the patent to Shill in view of the patent to Zimmer.

Also, claims 14-15 are rejected under 35 U.S.C. 103(a) over the patent to Schill in view of the patent to Zimmer.

Also, the claims are rejected under 35 U.S.C. 112.

Turning now first to the Examiner's formal rejection of the claims under 35 U.S.C. 112 in view of the Examiner's statement that the terms "positive" and "non-positive" connections were unclear, it is respectfully submitted that with the present Request for Reconsideration applicant has amended claims 1, 16, and 17 to define these terms more clearly, in compliance with the suggestions discussed during the conference with the Examiner. Claims 1, 16 and 17 now use the expressions which were discussed during the conference and agreed by the Examiner that they would clearly define the corresponding terms.

In view of the fact that these expressions were approved by the Examiner during the conference, it is respectfully submitted that the changes in claims 1, 16 and 17 do not raise any new issues for consideration and/or search, and they eliminate the grounds for the rejection of the claims under 35 U.S.C. 112.

It is respectfully submitted that the new features of the present invention clearly and patentably distinguish the present invention from the prior art.

In accordance with the present invention as defined in the independent claims, the disc 36, 38 is in non positive engagement with the axle 16, 18, and also, as now amended, the disc 36, 38 is in positive engagement with the steering lever 22, 24, 26.

Turning now to the references applied by the Examiner against the claims, it is respectfully submitted that the disc 12 disclosed in the patent to Zimmer is fitted on the hexagonal element 22 by its hexagonal shape, so that a form-locking or positive engagement, as now additionally clarified in the claims, is provided. During the mounting of the wiper arm 14, the disc 12, the wiper arm 14, the inner cone 16, as well as a screw nut must be

placed on. This is relatively expensive.

In contrast, with the apparatus of the present invention in which there is a non-positive engagement between the disc and the axle, as now additionally clarified in the claims, the window wiping device is supplied with the disc, so that a separate supply can be dispensed with. Moreover, the disc is mounted on the axle so that its loosening is prevented, and it can not be lost during transportation. Moreover, the disc, during the manufacture of the wiper device, is already correspondingly positioned and oriented. In this manner, the steering lever can be mounted at the vehicle manufacturer in a fast and exact fashion on the disc. With this feature, numerous advantageous are provided, which can not be accomplished by the constructions disclosed in the patent to Zimmer and Shill.

The references do not provide any hint or suggestion for the new features of the present invention, namely the non-positive engagement of the disc with the axle and the positive engagement of the disc with the steering lever, as defined in the independent claims. Moreover, they teach away from the applicant's invention.

The present invention provides for the highly advantageous

results which can not be accomplished by the constructions disclosed in the references.

In view of the above presented remarks and amendments, it is believed that the independent claims currently on file should be considered as patentably distinguishing over the art and should be allowed.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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